

SEVENTY-FOURTH DAY

(Continued)

(Monday, May 24, 1993)

AFTER RECESS

The Senate met at 10:00 a.m. and was called to order by Senator Haley.

SENATOR ANNOUNCED PRESENT

Senator Turner, who had previously been recorded as "Absent-excused," was announced "Present."

• LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer announced that the time had arrived for consideration of the Local and Uncontested Bills Calendar.

Pursuant to Senate Rule 9.03(d), the following bills were laid before the Senate, read second time, amended where applicable, passed to engrossment/third reading, read third time, and passed (vote on Constitutional Three-Day Rule and final passage indicated after the caption of each bill):

C.S.S.B. 1493 (Nelson) Relating to the creation, administration, powers, duties, operation, and financing of the Bridgeport Area Community Hospital District; authorizing a tax; granting the authority to issue bonds; and granting the power of eminent domain. (31-0) (31-0)

S.B. 1494 (Patterson) Relating to the sale of certain park land by certain municipalities. (31-0) (31-0)

S.R. 969 (Rosson) Requesting that all health and human services education programs resulting in licensure or certification by the State of Texas include studies in gerontology or geriatric health care. (vv) (vv)

H.B. 113 (Wentworth) Relating to an insurance claim payment held by a lender during repair of real property subject to security interest. (31-0) (31-0)

H.B. 447 (Barrientos) Relating to the residency of homeless individuals who register at public institutions of higher education. (31-0) (31-0)

C.S.H.B. 567 (Parker) Relating to criminal law masters in Jefferson County. (31-0) (31-0)

H.B. 641 (Turner) Relating to issuance of prisoner of war license plates. (31-0) (31-0)

H.B. 866 (Madla) Relating to the conveyance of certain state-owned real property in Wilson County. (31-0) (31-0)

H.B. 933 (Armbrister) Relating to the regulation of the practice of dentistry. (31-0) (31-0)

H.B. 986 (Barrientos) Relating to staffing and funding of the Texas School for the Deaf. (31-0) (31-0)

H.B. 1029 (Montford) Relating to the creation of the Texas interactive multimedia communications fund; regulating interactive multimedia communications services and equipment. (31-0) (31-0)

H.B. 1144 (Harris of Tarrant) Relating to title insurance company affidavits as releases of certain liens; providing a civil penalty. (31-0) (31-0)

H.B. 1156 (Bivins) Relating to the regulation of motor carriers. (31-0) (31-0)

H.B. 1165 (Barrientos) Relating to the testing of certain deaf or blind students enrolled at institutions of higher education. (31-0) (31-0)

C.S.H.B. 1185 (Shelley) Relating to purchasing by local governments. (31-0) (31-0)

H.B. 1198 (Whitmire) Relating to eligibility for service retirement under the Texas County and District Retirement System. (31-0) (31-0)

H.B. 1208 (Montford) Relating to the juvenile boards of Cochran and Hockley counties. (31-0) (31-0)

H.B. 1213 (Parker) Relating to the laws governing cemeteries and perpetual care cemeteries; providing civil and criminal penalties. (31-0) (31-0)

C.S.H.B. 1387 (Parker) Relating to the administration and enforcement of the state unemployment compensation system. (31-0) (31-0)

H.B. 1494 (Harris of Dallas) Relating to the organization and operation of nonprofit corporations. (31-0) (31-0)

H.B. 1544 (Carriker) Relating to providing 9-1-1 emergency service to certain residential facilities; providing criminal penalties. (31-0) (31-0)

Senator Carriker offered the following committee amendment to the bill:

Amend **H.B. 1544** (house engrossment) by adding a new Section 20 of the bill (page 16, between lines 10 and 11) to read as follows and renumbering the remaining sections appropriately:

SECTION 20. (a) Not later than September 1, 1994, the Texas Higher Education Coordinating Board, with the cooperation of the Advisory Commission on State Emergency Communications, shall inventory residential PBX facilities that are owned or operated by a public or private institution of higher education as defined by Section 61.003 or Section 61.302, Education Code. The inventory shall identify each institution's telecommunications equipment, estimate the cost, and specify the technical requirements that would be necessary to provide the level of 9-1-1 services required by this Act and may recommend alternative plans that will provide substantially equivalent efficient and effective emergency response services.

(b) Each institution shall evaluate the technical and financial feasibility of and establish a schedule for providing access to an effective 9-1-1 emergency response service.

(c) A public, private, or independent institution of higher education that provides residential services on telecommunications equipment that

cannot be technically modified to provide the required level of 9-1-1 service is exempt from the requirements of this Act until the PBX system is replaced, and at that time a new PBX system shall be installed with equipment that provides the required level of 9-1-1 service.

(d) A public, private, or independent institution of higher education providing residential PBX facilities that can provide the required level of 9-1-1 service shall do so on or before September 1, 1995, unless the institution has received a waiver(s) from the Advisory Commission on State Emergency Communications. A waiver may be granted for technical or financial reasons.

The committee amendment was read and was adopted by a viva voce vote.

On motion of Senator Carriker and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 1656 (Moncrief) Relating to enhanced pavement marking visibility at certain railroad grade crossings. (31-0) (31-0)

H.B. 1674 (Carriker) Relating to the participation of appraisal districts in emergency communications programs. (31-0) (31-0)

H.B. 1793 (Bivins) Relating to the custodians of securities pledged to secure state funds. (31-0) (31-0)

H.B. 1826 (Whitmire) Relating to a municipality's retention of a person licensed to perform inspections, surveys or removal of asbestos. (31-0) (31-0)

H.B. 1932 (Nelson) Relating to the bond or other security required for issuance or renewal of a general distinguishing number as a motor vehicle dealer or a wholesale motor vehicle auction. (31-0) (31-0)

H.B. 1938 (Sims) Relating to the creation of the Petroleum Storage Tank Advisory Committee. (31-0) (31-0)

H.B. 1945 (Carriker) Relating to the definition and operation of personal watercraft. (31-0) (31-0)

H.B. 2308 (Whitmire) Relating to eligibility for benefits payable by retirement systems for police officers in certain municipalities. (31-0) (31-0)

H.B. 2315 (Zaffirini) Relating to requirements for alternative certification of teachers. (31-0) (31-0)

H.B. 2323 (Armbrister) Relating to the authority of a general-law municipality with a population of between 4540 and 4545 to annex adjacent streets, highways, roads, and alleys. (31-0) (31-0)

H.B. 2332 (Armbrister on behalf of Haley) Relating to the creation of special purpose public schools and school districts. (31-0) (31-0)

Senator Armbrister, on behalf of Senator Haley, offered the following committee amendment to the bill:

Amend **H.B. 2332** on page 1, line 10, as follows:

After the word "districts" insert "in each affected county in which a school is located".

The committee amendment was read and was adopted by a viva voce vote.

On motion of Senator Armbrister, on behalf of Senator Haley, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 2364 (Luna) Relating to the placement of students in public schools as a condition of probation. (31-0) (31-0)

H.B. 2369 (Luna) Relating to recovery of over allocated Foundation School Funds. (31-0) (31-0)

H.B. 2415 (Henderson) Relating to the suspension of a public school teacher without pay. (31-0) (31-0)

H.B. 2432 (Parker) Relating to cost recovery by the state under the Solid Waste Disposal Act; providing penalties. (31-0) (31-0)

H.B. 2492 (Sims) Relating to election of directors and validation of acts of the governing board of the Real-Edwards Conservation and Reclamation District. (31-0) (31-0)

H.B. 2590 (Armbrister) Relating to leave for peace officers for purposes of pursuing an education. (31-0) (31-0)

H.B. 2750 (Madla) Relating to the specification for legal papers. (31-0) (31-0)

H.B. 2795 (Montford) Relating to venue of suits against the Ector County Hospital District and its hospital system, contracting for the use, purchase or other acquisition of personal property and issuing obligations of the Ector County Hospital District, payment of revenue bonds and validating and confirming acts of the district. (31-0) (31-0)

C.S.H.B. 2820 (Sims) Relating to the creation, administration, powers, duties, operation, and financing of the Rolling Plains Underground Water Conservation District. (31-0) (31-0)

H.B. 2822 (Armbrister on behalf of Haley) Relating to the creation of consumer incentive or rebate programs for appliances and equipment fueled by alternative fuels. (31-0) (31-0)

H.B. 2829 (Turner) Relating to authorizing the Elkins Lake Municipal Utility District to transfer money from the district's municipal utility district operating fund to the district's road utility district operating fund. (31-0) (31-0)

H.B. 2830 (Barrientos) Relating to authorizing the Travis County Water Control and Improvement District No. 17 to exclude certain territory. (31-0) (31-0)

H.B. 2842 (Parker) Relating to the creation, administration, powers, duties, operation, and financing of Montgomery County Municipal Utility District No. 87, of Montgomery County, Texas. (31-0) (31-0)

H.B. 2849 (Harris of Dallas) Relating to the use of certain probate court fees in Dallas County. (31-0) (31-0)

H.C.R. 106 (Armbrister) Authorizing a committee to be created to designate a Poet Laureate for the State of Texas. (vv) (vv)

**BILLS REMOVED FROM
LOCAL AND UNCONTESTED BILLS CALENDAR**

<u>Number</u>	<u>Senators Removing</u>
H.B. 431	Whitmire, Haley
H.B. 467	Brown, Haley
H.B. 493	Parker, Truan
H.B. 2623	Truan, Haley
H.B. 2845	Whitmire, Haley

**CONCLUSION OF SESSION FOR
LOCAL AND UNCONTESTED BILLS CALENDAR**

The Presiding Officer announced that the session for consideration of the Local and Uncontested Bills Calendar was concluded.

ADJOURNMENT

On motion of Senator Truan, the Senate at 10:35 a.m. adjourned until 11:00 a.m. today.

**SEVENTY-FIFTH DAY
(Monday, May 24, 1993)**

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by Senator Truan.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Carriker, Ellis, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Parker, Patterson, Ratliff, Rosson, Shapiro, Shelley, Sibley, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

A quorum was announced present.

Pastor David K. Bernard, New Life United Pentecostal Church, Austin, offered the invocation as follows:

Our heavenly Father, thank You for the gracious blessings You have bestowed upon each one of us. Thank You for the